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MAILED

FEB 18 2004

Office of the Director  
Group 6800

In re Application of  
Hayden N. Ringer, et al.  
Application No. 09/922,360  
Filed: August 4, 2001  
For: IMAGE-INFRARED SKEWED-CONE FUZE

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:  
: **DECISION ON PETITION**  
: **TO WITHDRAW THE**  
: **HOLDING OF ABANDONMENT**

This is a decision on the applicants' petition to withdraw the holding of abandonment under 37 CFR 1.181, filed in the United States Patent and Trademark Office (USPTO), on November 17, 2003.

The petition is **GRANTED**.

A review of the file record indicates that the application was held abandoned for failure to timely respond to the Office action mailed March 27, 2003 and a Notice to that effect was mailed on November 4, 2003.

Applicants' petition submits a statement that he did not receive the Office action mailed March 27, 2003.

A further review of the file record reveals that a Change of Correspondence Address was received by the Office on March 31, 2003 and was processed April 5, 2003. The Office did not receive the Revocation of Attorney and Appointment of New Power of Attorney, as indicated in the attached post card receipt dated October 29, 2002 by OIPE. The Office action dated March 27, 2003 was mailed to the address on record with the Office before the updated correspondence address was processed. Consequently, the Office action was improperly sent to an incorrect address. This is clearly the reason that applicants did not receive the March 27, 2003 Office communication. Therefore, the holding of abandonment is withdrawn.

The updated change of correspondence address is as follows:

Albin H. Gess  
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2100 S.E. Main Street,  
Suite 250  
Irvine, CA 92614

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to withdraw the holding of abandonment and restore the application to pending status before redating and remailing the Office action to the updated correspondence address of record.



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SNM/cps 1/22/04